

Application No.: 10/669,494
Docket No.: PE0688USNA

Remarks

The following remarks are responsive to the Examiner's rejection in the Office Action dated September 12, 2007.

Status of the Claims

Claims 1-4, 8-10, 54, and 58-60 are pending in the application. Claims 1, 54, 59, and 60 are the independent claims.

The pending claims stand rejected under 35 U.S.C. § 102 or, in the alternative, under 35 U.S.C. § 103.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 8-10, 54, and 58-60 stand as rejected under 35 U.S.C. § 102(e) as anticipated by Sotzing, U.S. Publication 2004/0010115 ("Sotzing"). Applicants respectfully traverse this rejection.

Sotzing was filed July 11, 2002, and published January 15, 2004. The present application claims priority to Provisional Application 60/413202, filed September 24, 2002. As shown by the declaration submitted concurrently therewith, the invention was made (conceived and reduced to practice) prior to July 11, 2002. Therefore, Applicants respectfully submit that this reference is not available as prior art under 35 U.S.C. 102(e) and request that the rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 102 or, in the Alternative, 35 U.S.C. § 103

Claims 1-4, 8-10, 54, and 58-60 stand as rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Pickup et al., Journal of New Materials for Electrochemical Systems, 3, pp. 2-26, 2000 ("Pickup"). Applicants respectfully traverse this rejection.

As previously stated, Applicants' invention, as recited in the claims, is drawn to an aqueous dispersion of a polydioxothiophene and at least one colloid-forming polymeric acid, wherein said colloid-forming polymeric acid is a fluorinated polymeric sulfonic acid. Applicants respectfully maintain that Pickup does not teach or suggest an aqueous dispersion of such materials.

Application No.: 10/669,494
Docket No.: PE0688USNA

The Examiner has maintained the rejection stating that "Pickup discloses dispersion in acetonitrile/water solution (Table 2)..." (Page 2 of current Office Action) Applicants can find no mention of a "dispersion" with respect to Table 2. The Examiner further states that "Pickup's description of 'no discrete particles' clearly implies submicron particles dispersed in the liquid medium" (Page 3). Applicants respectfully submit that "no discrete particles" means simply "no discrete particles" and that there is no implication of particles of any size. Furthermore, the product in Pickup is "gel-like". Applicants respectfully submit that a gel is a semi-solid material and is not a liquid, and that a gelatinous material would also be consistent with "no discrete particles". Thus, the product in Pickup is "gel-like with no discrete particles". That is not the same as or suggestive of Applicants' aqueous dispersion, which is defined as "a continuous liquid medium containing a suspension of minute particles." (see page 4, lines 1-3)

Accordingly Applicants respectfully submit that this rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 1-4, 8-10, 54, and 58-60 stand as rejected under 35 U.S.C. §103(a) as unpatentable over Ohtani et al., U.S. Patent 4,869,979 ("Ohtani"). Applicants respectfully traverse this rejection.

Ohtani discloses a conducting polymer for use in batteries. Polythiophene is listed as one possible conducting polymer and "Nafion" is listed as one of many possible polymer anions. However, there is no teaching in Ohtani of a stable aqueous dispersion of any conducting polymer and "Nafion", or any other polymeric anion. The materials formed in Ohtani are powders. Furthermore, there is no teaching in Ohtani of a method of making a stable aqueous dispersion of any conducting polymer and "Nafion". Neither Ohtani nor the references cited therein, teaches or suggests Applicants' stable aqueous dispersion of polydioxithiophene and at least one colloid-forming polymeric acid, as recited in Claim 1.

Accordingly, Applicants respectfully submit that this rejection should be withdrawn.

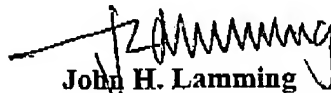
Application No.: 10/669,494
Docket No.: PE0688USNA

CONCLUSION

For all of the foregoing reasons, Applicants respectfully submit that the rejections have been rendered moot or overcome by the remarks, and that the pending claims are in condition for allowance. A notice of allowance is earnestly solicited.

Should the Examiner have questions about the content of this paper or the status of the application, he is invited to call the undersigned at the telephone number listed below.

Respectfully submitted,



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Dated: